

**Staff
Summary
Report**



**To: Mayor & City Council
Through: City Manager**

**Agenda Item Number 28
Meeting Date 1/25/2001**

SUBJECT: ORDINANCE FOR INTRODUCTION

PREPARED BY: JIM CRISTEA, ENGINEERING MANAGER, LAND SERVICES
(350-8417)

REVIEWED BY: ANDY GOH, ACTING CITY ENGINEER (350-8896)

BRIEF: Set a public hearing for **FEBRUARY 8, 2001, AND FEBRUARY 15, 2001**, for the abandonment of an existing drainage/public utility easement.

COMMENTS: **ABANDONMENT (0901) ORDINANCE NO. 2001.05** Set a public hearing for **FEBRUARY 8, 2001, AND FEBRUARY 15, 2001**, for the abandonment of a 40 foot wide drainage/public utility easement with Lot 16 – ASU Research Park.

Document Name: (20010125PWDR01) Supporting Documents: Yes

SUMMARY: This is a request to abandon a drainage/public utility easement recorded in the ASU Research Park Map of Dedication. The ASU Research Park is in the process of leasing a parcel (Lot 16) to Ryan Companies for a training facility for ASM Lithography. The subject drainage/public utility easement bisects the parcel and conflicts with the proposed new building. The easement contains electrical and water facilities, which will be relocated to new easements. ASU Research Park had agreed to grant SRP a non-exclusive easement for its relocated facilities, and a 12 foot easement for a new waterline to the City of Tempe.

RECOMMENDATION:

That the City Council hold a public hearing and adopt Ordinance No. 2001.05 and authorize the Mayor to execute any necessary documents.

Approved by: Howard C. Hargis, Public Works Manager

ORDINANCE NO. 2001.05

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, ABANDONING A DRAINAGE/PUBLIC UTILITY EASEMENT LOCATED WITHIN LOT 16 OF THE ASU RESEARCH PARK.

WHEREAS, it has been determined by the City Council of the City of Tempe that a certain easement which was intended for drainage/public utilities is no longer required by the City for use as such, and

WHEREAS, it would appear to be in the best interest of the City of Tempe to abandon said easement, and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION I. That the City of Tempe does hereby abandon, relinquish, and vacate an existing easement which was intended for drainage/public utilities as described and delineated on EXHIBIT "A" and "A-1" attached hereto.

SECTION II. That all rights of the City in the easement abandoned shall vest in the record owner(s) of the subject property and shall be subject to the same encumbrances, liens, limitations, restrictions, and estates as exist on the land of which the easement is a part.

SECTION III. That the abandonment of the foregoing drainage/public utility easement is specifically conditioned upon the owners of the property dedicating a new easement for waterline purposes to the City of Tempe. That upon fulfillment of the conditions herein, the City Engineer or his designee shall record an Affidavit of Satisfaction of Conditions of Abandonment.

SECTION IV. That the Mayor is hereby authorized to execute any documents that may be necessary to carry out the provisions of this ordinance.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,
ARIZONA this _____ day of _____, 2001.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A



Evans, Kuhn &
Associates, Inc.

727 E. Bethany Home Road
Suite D225
Phoenix, AZ 85014
602.241.0782 phone
602.248.9158 fax



12-6-2000 (Revised)
ASML Training Facility
Easement Abandonment
EKA# 4744
Page 1 of 1

LEGAL DESCRIPTION OF A PARCEL OF LAND

A Portion of Land in the East Half of Section 13, Township 1 South, Range 4 East of the Gila and Salt River Meridian, Maricopa County, Arizona, Being more particularly described as follows:

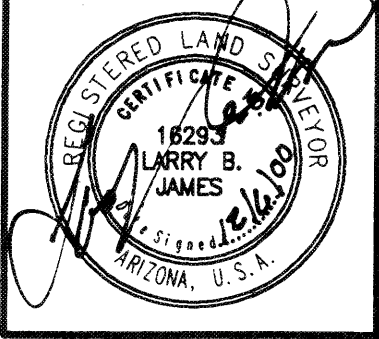
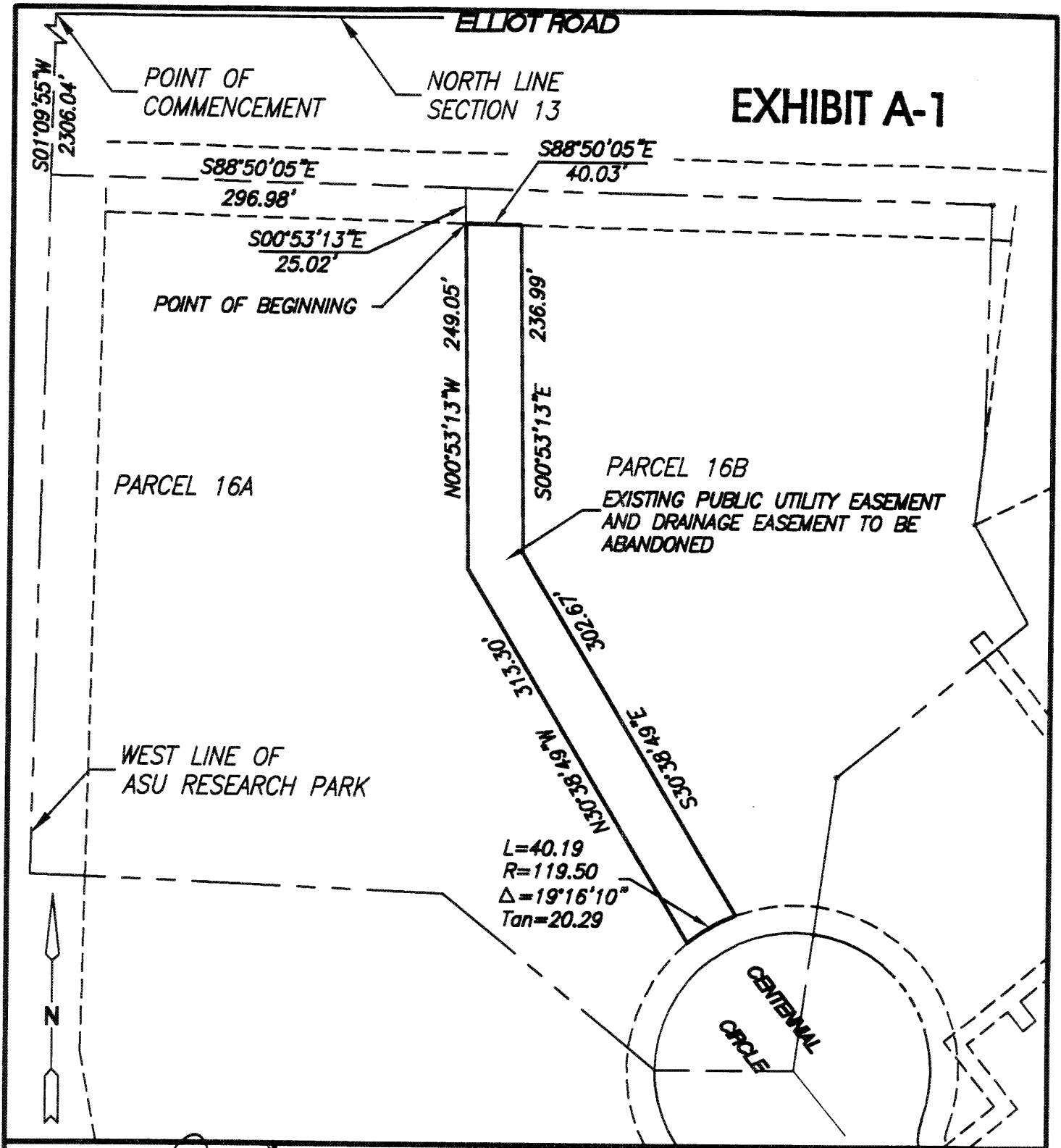
COMMENCING at a Point on the North line of Said Section 13, said point being the Northwest Corner of Arizona State University Research Park as recorded in the Map of Dedication in Book 275, Page 26 of Maricopa County Records:

THENCE South 01°09'55" West along the West Line of said Arizona State Research Park, a distance of 2,306.04 feet;
THENCE South 88°50'05" East, a distance of 296.98 feet;
THENCE South 00°53'13" East, a distance of 25.02 feet to the POINT OF BEGINNING;

THENCE South 88°50'05" East, a distance of 40.03 feet;
THENCE South 00°53'13" East, a distance of 236.99 feet;
THENCE South 30°38'49" East, a distance of 302.67 feet to the beginning of a non tangent curve concave to the southeast, from which the center of said curve bears South 21°00'44" East, a distance of 119.50 feet; thence southwesterly along said curve, through a central angle of 19°16'10", a distance of 40.19 feet;
THENCE North 30°38'49" West, a distance of 313.30 feet;
THENCE North 00°53'13" West, a distance of 249.05 feet to the POINT OF BEGINNING.

Subject to existing rights of way and easements.

Containing 21,995 square feet or 0.5049 acres, more or less.



ABANDONMENT EXHIBIT				
RYAN COMPANIES US, INC				
ASML TRAINING FACILITY				
DESIGN GLE	SCALE	JOB NO.	DATE	SHEET
DRAWN JJM	N.T.S.	4744	12-6-00	1 OF 1
CHECK SNS				
EVANS, KUHN & ASSOCIATES, INC. CONSULTING ENGINEERS				